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Patent

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth F. Buechler et al.
Title: HYBRID PHTHALOCYANINE
DERIVATIVES AND THEIR
USES
Appl. No.: 09/776,599
Filing Date: February 1, 2001
Examiner: Jon D. Epperson
Art Unit: 1639

<p>CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450, on the date below.</p> <p><u>Germaine Sarda</u> (Printed Name)</p> <p><u><i>Germaine Sarda</i></u> (Signature)</p> <p><u>December 2, 2003</u> (Date of Deposit)</p>

**SUBMISSION ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. § 1.114**

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450
Box After Final

This submission accompanies a Request for Continued Examination in the above-captioned application and is responsive to the Final Office Action, mailed on September 2, 2003 ("Paper No. 11"). Also accompanying this submission is an Information Disclosure Statement and listing of references. Accordingly, Applicant believes the Request for Continued Examination and this submission is timely filed.

Pending claims begin on page 2 of this document.

Remarks/Arguments begin on page 5 of this document

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TECH CENTER 14600/2900

Atty. Dkt. No. 071949-2404



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Appl. No.: 09/776,599
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Examiner: Jon D. Epperson
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REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. **Submission required under 37 C.F.R. § 1.114:** (check items that apply)

a. Enclosed are:

☒ Amendment/Reply (18 pages).

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☒ Information Disclosure Statement (3 pages).

☒ PTO Form 1449 (8 pages).

☒ Return postcard.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	= \$770.00
Total Claims:	17	- 29	= 0	x \$18.00	= \$0.00
Independents	1	- 3	= 0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$290.00	= \$0.00
CLAIMS FEE TOTAL:					= \$770.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$770.00. A duplicate copy of this transmittal is enclosed.

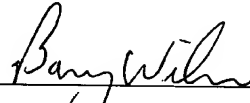
☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date December 2, 2003

By



FOLEY & LARDNER

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Facsimile: (858) 792-6773

Barry S. Wilson
Attorney for Applicant
Registration No. 39,431